

**Control Track, Inc.**  
**P.O. Box 560124**  
**Orlando, Florida 32856-0124**

Received & Inspected

JUL -3 2012

**June 26, 2012**

FCC Mail Room

**Office of the Secretary**  
**Federal Communications Commission**  
**Attention: Disability Rights Office, Room 3-B431**  
**445 12<sup>th</sup> Street SW**  
**Washington, DC 20554**

**RE: REQUEST FOR EXEMPTION FROM COMMISSION'S CLOSED CAPTIONING RULES**

This petition is to request exemption from the Closed Captioning Requirements under Section 79.1 of the Commission's rules, 47 C.F.R. and 79.1. The rules for closed captioning would cause an undue burden of Control Track's ability to continue airing. We feel our show qualifies for an exemption for the reasons as stated below.

**Part 79.1 – Section (F)**

Control Track would have an undue burden if it has to comply with the closed captioning rules for the following reasons:

**INTRODUCTION**

1. Control Track is a 501c3 organization as determined by the Internal Revenue Service on January 11, 2006. **(Documentation enclosed).**
2. Control Track is a 30 minute weekly Christian music video show.
3. The main purpose of Control Track is to provide positive Christian programming to the youth of today and to spread the gospel through Christian music videos and testimonies of those involved in the industry.

**NATURE AND COSTS OF CLOSED CAPTIONING**

1. In order to comply with these rules, we would have to outsource our completed shows to have closed captioning services provided. We have researched the costs for doing so and the costs would equal approximately \$300 per show (\$10 per minute of programming). Based on producing 52 weekly shows per year, our cost for closed captioning alone would total \$ 15,500 (Our total budget for 2012 is \$3,500).
2. All of Control Track's income is derived from donations. We are a faith-based organization. Our video programming supplier, Sky Angel, does not provide closed captioning services to its programmers.

3. "Control Track" is produced in a home studio using very minimal video editing equipment and volunteers to edit the program. Using this home studio, our current production costs (WITHOUT CLOSED CAPTIONING COSTS) per program are approximately \$ 100 (this amount is currently paid from my personal account as a donation to Control Track). With the added expense of closed captioning at \$300 per show, this would bring the total cost per show to approximately \$400, which in turn quadruples the cost of producing a single show.

As part of our commitment to be able to provide additional readable titling for our viewers we would increase time allotted for lower thirds to be shown on the screen. This would include artist, song title, album, and record company as well as increasing time for lower thirds for guests. This could be accomplished without the additional expense of closed captioning the entire show.

### **IMPACT ON THE OPERATION OF THE PROGRAM OWNER**

1. To have the closed captioning expenses added would cause an undue burden in that Control Track cannot afford this expense given the financial resources and the size of our volunteer staff. The impact is that we would not be able to continue broadcasting and in turn would not be able to reach a generation of young people that need to hear a positive message and music that can inspire them.

### **FINANCIAL RESOURCES**

1. Based on our current annual budget of \$3,500 and having to pay for closed captioning costs that would increase our loss for each year. This would not take into account ANY other expenses to produce Control Track). Anticipated income of \$3,500 less closed captioning costs alone of \$15,600 (52 weekly shows at \$300 per show).
2. The current balance of Control Track's business checking account is \$5,664.16. (Copy of transactions from August 2011 to June 2012 is enclosed).
3. We have had donations this year (2012) totaling \$1,300. Expenses for July will total approximately \$1,400 to purchase a new computer for editing purposes as our old one has to be replaced). We also expect expenses of approximately \$400 for an industry event we attend in July of each year to acquire video footage to cover approximately 6 (six) months of programming.
4. We anticipate approximately \$ 2,000 additional donations for 2012.

### **TYPE OF OPERATIONS OF THE PROGRAM PROVIDER**

1. Control Track is focused on spreading the gospel message to help edify and raise up the youth of today so they can live a positive and productive life. Control Track reaches these young people through the broadcast of its program of Christian music videos and testimonies.

**OTHER FACTORS**

2. Our facilities do not offer closed captioning options without outsourcing, which causes the undue burden for the reason mentioned in the preceding paragraphs.

**SUMMARY**

1. As shown in the preceding discussion and in the attached documents, we believe we should be entitled to an exemption to the closed captioning requirements and truly believe that the requirements for closed captioning would cause an undue burden on the ministry of Control Track. The costs of closed captioning would greatly impact the continued broadcast of the program. The resources available do not compare to the level of resources available in mainstream media. We thank you for your consideration of this request. If you need any additional information or documentation, please contact me at the address provided below.

Sincerely,



Alan J. Rasmussen  
President

Control Track, Inc.  
P.O. Box 560124  
Orlando, Florida 32856-0124  
(407) 281-0878  
(407) 249-0597 FAX  
[alan@controltrack.org](mailto:alan@controltrack.org) E-MAIL

Enclosures

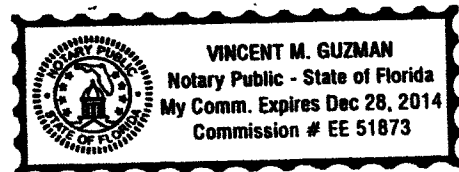
**AFFIDAVIT**

I, Alan J. Rasmussen, President of Control Track, Inc., have reviewed the Petition for Exemption for Closed Captioning Requirements filed on behalf of Control Track, Inc., and upon known information and belief, do hereby affirm the statements and documentation pertaining to the organization as true and accurate.

State of FLORIDA  
County of ORANGE  
On this 25 day of JUNE  
before me personally appeared  
ALAN J. RASMUSSEN  
to me known to be the person who executed the  
foregoing instrument, and acknowledged that he  
executed the same as his free act and deed.  
SEAL (signed) [Signature]  
**NOTARY PUBLIC**

Alan J. Rasmussen  
Alan J. Rasmussen, President  
Control Track, Inc.

JUNE 25, 2012  
Date



Case Identifier CGB-CC-0584



Wells Fargo Business Online®

## Account Activity

Business and Personal Accounts

BUSINESS CHECKING XXXXXXXX [REDACTED]

## Activity Summary

Ending Collected Balance as of 06/22/12	\$5,664.16
Current Posted Balance	\$5,664.16
Pending Withdrawals/ Debits	\$0.00
Pending Deposits/ Credits	\$0.00
Available Balance	\$5,664.16

## Transactions

Find Transactions

Description or Keyword

Dates  Last 18 Months

Amounts or Check Numbers

Type

Date	Description	Deposits / Credits	Withdrawals / Debits
Pending Transactions Note: Amounts may change			
No pending transactions meet your criteria above.			
Posted Transactions			
04/27/12	BILL PAY Capital One, F.S ON-LINE xxxxxxxxxxxx68975 ON 04-27		\$128.00
04/26/12	ONLINE TRANSFER REF #BE876MF3F FROM CHECKING XXXXXXXXXX4449 ON 04/26/12	\$500.00	
04/23/12	ONLINE TRANSFER REF #BE2F2RX3L FROM CHECKING XXXXXXXXXX4449 ON 04/22/12	\$500.00	
03/27/12	CHECK # 1007		\$928.00
03/20/12	ONLINE TRANSFER REF #BEC3XLCGP FROM CHECKING XXXXXXXXXX4449 ON 03/20/12	\$300.00	
11/30/11	CHECK # 1009		\$485.00
10/28/11	CHECK # 1008		\$96.00
10/20/11	ONLINE TRANSFER REF #BE85Q5GK7 FROM CHECKING XXXXXXXXXX4449 ON 10/20/11	\$600.00	
10/03/11	ONLINE TRANSFER REF #BEJTQSQMF FROM CHECKING XXXXXXXXXX4449 ON 10/02/11	\$500.00	
09/28/11	BILL PAY Capital One Cred ON-LINE xxxxxxxxxxxx68975 ON 09-28		\$65.00
08/23/11	BILL PAY Capital One Cred ON-LINE xxxxxxxxxxxx68975 ON 08-23		\$384.99
08/02/11	ONLINE TRANSFER REF #BE584FXHH FROM CHECKING XXXXXXXXXX4449 ON 08/02/11	\$1,000.00	
Totals		\$3,400.00	\$2,066.99

Equal Housing Lender

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INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **JAN 11 2006**

CONTROL TRACK INC  
C/O ALAN RASMUSSEN  
PO BOX 560124  
ORLANDO, FL 32856

Employer Identification Number:  
20-2355747  
DLN:  
17053097007035  
Contact Person:  
YVONNE LIGGETT ID# 31296  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Public Charity Status:  
170(b) (1) (A) (vi)  
Form 990 Required:  
Yes  
Effective Date of Exemption:  
February 16, 2005  
Contribution Deductibility:  
Yes  
Advance Ruling Ending Date:  
December 31, 2009

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c) (3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c) (3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Information for Exempt Organizations Under Section 501(c) (3) for some helpful information about your responsibilities as an exempt organization.

Letter 1045 (DO/CG)